

CENTRAL INTELLIGENCE AGENCY

OFFICE OF THE DEPUTY DIRECTOR

Executive Registry

83-3925

2 August 1983

NOTE FOR: Office of General Counsel

FROM: EA/DDCI

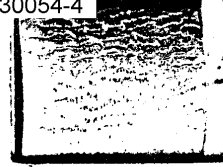
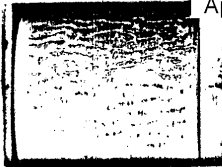
The DDCI is curious about the
attached excerpt from the Norwalk Hour.
Can you fill us in or refer this to
somebody else who can?

Thany,

Attachment:
Newspaper Clipping

STAT

DCI
EXEC
REG



Was POW Missing Connecticut Man?

7/20/83
Jke Home

Identification by CIA Questioned at Trial

HARTFORD (AP) — The CIA decided that a GI from Connecticut was not among American servicemen photographed playing volleyball in a North Korean prison camp because "the ears were different," according to documents presented in a federal court trial.

The soldier in question, Army Private Roger Dumas, was classified missing in action on Nov. 4, 1950, and was declared "presumed dead" several years later.

Robert Dumas of Canterbury, Conn., is in U.S. District Court seeking to force the military to acknowledge that his brother, Roger, was a POW at some point during the Korean War.

Pentagon officials have said it is impossible to reconstruct today what went into political and military decisions 30 years ago, including how servicemen were classified.

They deny there was any coverup. Evidence was produced Tuesday during the first day of the non-jury

trial that at least three repatriated soldiers said they were interred at North Korean prison camp No. 5 with Roger Dumas.

Similar evidence was discussed about 388 other "presumed dead" servicemen who were never classified POWs but may have been captured by the enemy.

Dumas has alleged that the government may have signed the armistice at the sacrifice of these servicemen.

But U.S. District Judge T. Emmet Clarie has limited testimony about government actions at the end of the war, citing several court rulings that found military decisions are not subject to review by the judiciary.

A memo detailing the CIA's 1978 analysis and "advisory opinion" about the volleyball picture was among the 800 documents introduced into evidence Tuesday.

Assistant U.S. Attorney John B. Hughes told Clarie that the CIA compared eight photos of Roger

Dumas with one of the men in the volleyball picture.

A now deceased soldier who was repatriated had identified himself and Roger Dumas in the photo several years ago, according to testimony from Robert Dumas.

Hughes said the CIA contended several of the comparison photos were too fuzzy to be of any use while others "clearly showed" that the man thought to be Dumas was not "because the ears were different."

When the photos were shown to Robert Dumas on the witness stand,

he immediately identified one of the volleyball players as his brother.

The legal issue being contested in the trial is whether the Army Board for the Correction of Military Records erred in refusing to change Roger Dumas' classification from "missing, presumed dead" to prisoner of war.

Clarie could order Army Secretary John O. Marsh Jr., the defendant, to change Roger Dumas' records, or he could order the ABCMR to hold a hearing to reconsider its earlier decision not to reclassify.